



General Assembly

January Session, 2005

Raised Bill No. 6598

LCO No. 3042

03042_____HSG

Referred to Committee on Select Committee on Housing

Introduced by:
(HSG)

***AN ACT CONCERNING SURCHARGE CLAUSES IN RESIDENTIAL
LEASES FOR HEAT AND UTILITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 47a- 4 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) A rental agreement shall not provide that the tenant: (1) Agrees
4 to waive or forfeit rights or remedies under this chapter and sections
5 47a-21, 47a-23 to 47a-23b, inclusive, 47a-26 to 47a-26g, inclusive, 47a-35
6 to 47a-35b, inclusive, 47a-41a, 47a-43 and 47a-46, or under any section
7 of the general statutes or any municipal ordinance unless such section
8 or ordinance expressly states that such rights may be waived; (2)
9 authorizes the landlord to confess judgment on a claim arising out of
10 the rental agreement; (3) agrees to the exculpation or limitation of any
11 liability of the landlord arising under law or to indemnify the landlord
12 for that liability or the costs connected therewith; (4) agrees to waive
13 his right to the interest on the security deposit pursuant to section 47a-
14 21; (5) agrees to permit the landlord to dispossess him without resort
15 to court order; (6) consents to the distraint of his property for rent; (7)
16 agrees to pay the landlord's attorney's fees in excess of fifteen per cent

17 of any judgment against the tenant in any action in which money
18 damages are awarded; [or] (8) agrees to pay a late charge prior to the
19 expiration of the grace period set forth in section 47a-15a or to pay rent
20 in a reduced amount if such rent is paid prior to the expiration of such
21 grace period; or (9) agrees to pay a heat or utilities surcharge if heat or
22 utilities is included in the rental agreement.

23 (b) A provision prohibited by subsection (a) of this section included
24 in a rental agreement is unenforceable.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	47a- 4

Statement of Purpose:

To prohibit heat and utility surcharges in residential leases.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]